

05-08-01

CPA 11617\$

**CONTINUED PROSECUTION APPLICATION (CPA)
REQUEST TRANSMITTAL (Larg Entity)**

Submit an original, and a duplicate for fee processing.

Only for Continuation or Divisional Applications Under 37 CFR 1.53(d)

Docket No.

5741-01-CA

☐ **DUPLICATE** (Check box if applicable)

First Named Inventor

Examiner

Group/Art Unit

ISAAC GHEBRE-SELLASSIE

E. WEBMAN

RECEIVED

Address to:

Assistant Commissioner for Patents

Box CPA

Washington, D.C. 20231

MAY 09 2001

TECH CENTER 1600/2900

This is a request for filing a ☒ continuation, or ☐ divisional application under 37 CFR 1.53(d), (continued prosecution application (CPA)) of prior application number 09/284,858 filed on 4/21/99 and entitled:

SOLID PHARMACEUTICAL DOSAGE FORMS IN FORM OF A PARTICULATE DISPERSION#10098
51701

1. ☐ Enter the unentered amendment previously filed on _____ under 37 CFR 1.116 in the prior nonprovisional application.
2. ☒ A preliminary amendment is enclosed ✓
3. ☐ This application is being filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
- a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:
- b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent is enclosed.
5. ☐ An Information Disclosure Statement (IDS) is enclosed:
- a. ☐ PTO-1449
- b. ☐ Copies of IDS Citations
6. ☒ The fee for this application is calculated as follows:

05/09/2001 GTEFFERA 00000096 230455 09284858
01 FC:131 710.00 CH

CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	8	- 20 =	0	x \$18.00	\$0.00
Indep. Claims	2	- 3 =	0	x \$80.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$710.00
TOTAL FILING FEE					\$710.00

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Larg Entity)
(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))

7. ☒ The Commissioner is hereby authorized to credit overpayments or charge the following fees to
Deposit Account No. 23-0455.

- ☒ fees required under 37 C.F.R. 1.16.
- ☒ fees required under 37 C.F.R. 1.17.
- ☐ fees required under 37 C.F.R. 1.18.

8. ☐ A check in the amount of _____ is enclosed.

9. ☐ Also enclosed:

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10. ☒ The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is
provided below:

David R. Kurlandsky
Warner-Lambert Company
2800 Plymouth Road
Ann Arbor, MI 48105

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Larg Entity)
(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))

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NOTES

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FILING QUALIFICATIONS: The prior application must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 USC 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

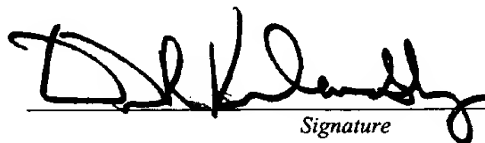
C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. 1.53(d), but must be filed under 37 C.F.R. 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. 1.53(b) must be used to file a continuation, divisional or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the Applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or application in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. 1.78(a).

Dated: May 7, 2001


Signature

David R. Kurlandsky

Typed or printed name

41,505

Registration Number (if applicable)

- ☐ Inventor(s)
☐ Assignee of complete interest
☒ Attorney or agent of record

cc:

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)Applicant(s): **Isaac Ghebre-Sellassie**

Docket No.

5741-01-CA

Serial No.

09/284,858

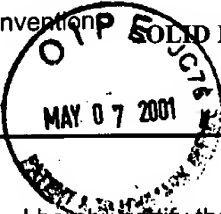
Filing Date

4/21/99

Examiner

E. Webman

Group Art Unit

1617Invention: **SOLID PHARMACEUTICAL DOSAGE FORMS IN FORM OF A PARTICULATE DISPERSION**
MAY 07 2001

I hereby certify that the following correspondence:

Continued Prosecution Application (CPA) Under 37 CFR 1.53(d), Preliminary Amendment*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231

May 7, 2001*(Date)*Cindy Malocha*(Typed or Printed Name of Person Mailing Correspondence)*
*(Signature of Person Mailing Correspondence)*EF220739737US*("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**



PD-5741-01-CA

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

APPLICANT : ISAAC GHEBRE-SELLASSIE EXAMINER : E. WEBMAN
SERIAL NO. : 09/284,858 ART UNIT : 1617
FILED : APRIL 21, 1999 PAPER NO. : 10
FOR : SOLID PHARMACEUTICAL DOSAGE FORMS IN FORM OF A
PARTICULATE DISPERSION

PRELIMINARY AMENDMENT

May 7, 2001

preliminary
amendment
5/1/01

BOX CPA
Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Please amend the above-identified application as follows:

IN THE CLAIMS:

Sub 71
A1
Claim 1 (twice amended). A solid particulate pharmaceutical dosage form suitable for oral delivery comprising a sparingly water-soluble pharmaceutical agent in crystalline particulate form, wherein said particulate is at least partially coated with a solidified matrix consisting of a water-soluble polymer having a melting temperature less than that of the pharmaceutical agent.

Cancel Claims 8 and 9.